IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1274 OF 2007

The Sangli Salary Earners
Co. Op. Credit Society Limited .. Petitioner.

V/s.

Commissioner of Income-tax-1,
Kolhapur & Others .. Respondents.

Mr.M.K. Kulkarni for the petitioner.

Mr.Ashok Kotangale for the respondents.

CORAM : DR.S. RADHAKRISHNAN &
J.P. DEVADHAR, JJ.

DATED : 12TH MARCH, 2007.

P.C. :

1. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. Rule. Rule made returnable forthwith. The learned counsel for the respondents waive service. By consent taken up for final hearing.

3. It appears that in the above matter, there is an appeal pending before the Commissioner of Income Tax (Appeals). Out of the demand of tax liability of Rs.7.22 crores the petitioner has already deposited Rs.3.61 crores. The grievance of the petitioner is that the respondents are trying to recover the balance amount also. The learned counsel for the respondents

Mr.Kotangale fairly states that during the pendency of the appeal before the Commissioner of Income Tax (Appeals), the respondents will not recover the balance amount and for a period of four weeks thereafter in the event the order were to be adverse to the petitioner.

4. In view of the above statement, nothing further survives in the writ petition. The writ petition stands dismissed with no order as to costs.

(DR.S. RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)